

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

JANICE HARGROVE WARREN

PLAINTIFF

v.

No. 4:19-cv-00655-BSM

MIKE KEMP, et al.

DEFENDANTS

**DEFENDANTS' MOTION FOR JUDGMENT AS A MATTER OF LAW OR, IN THE
ALTERNATIVE, MOTION TO ALTER OR AMEND THE JUDGMENT**

Defendants, by and through their attorneys, Bequette, Billingsley & Kees, P.A., for their Rule 50 Motion for Judgment as a Matter of Law or, in the Alternative, Rule 59 Motion to Alter or Amend the Judgment, state as follows:

1. This Court entered Judgment [ECF Doc. 176] in this matter on March 10, 2022, following the jury verdict [ECF Doc. 171] returned on February 25, 2022. Judgment was entered after the Court partially granted PCSSD's Motion for Directed Verdict, which set aside punitive damages as to Defendant PCSSD, only. The Judgment included punitive damages against individual Defendants Linda Remele and Alicia Gillen, both former PCSSD Board members at all times relevant. As a matter of law, punitive damages cannot be assessed against Remele and Gillen. Furthermore, the jury's verdict must be set aside as Warren did not engage in protected activity.

2. Accordingly, pursuant to Fed. R. Civ. P. 50 and Fed. R. Civ. P. 59, Defendants respectfully request that this Court grant them judgment as a matter of law, set aside the jury's verdict, and amend the judgment accordingly.

3. In support of this Motion, Defendants rely upon the accompanying Brief in Support of their Motion for Judgment as a Matter of Law or, in the Alternative, Rule 59 Motion to Alter or Amend the Judgment, and upon the entire record in this action.

WHEREFORE, Defendants pray that their Motion for Judgment as a Matter of Law or, in the Alternative, Rule 59 Motion to Alter or Amend the Judgment be granted; for Defendants' attorneys' fees and costs incurred herein; and for all other appropriate relief to which Defendants may be entitled.

Respectfully submitted,

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